

PROB 12C
(6/16)

Report Date: November 10, 2022

United States District Court
for the
Eastern District of Washington

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Nov 14, 2022

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Kristopher Paul Wise Case Number: 0980 2:18CR00115-TOR-1

Address of Offender: [REDACTED], Spokane, Washington 99223

Name of Sentencing Judicial Officer: The Honorable Thomas O. Rice, U.S. District Judge

Date of Original Sentence: September 17, 2019

Original Offense: Conspiracy to Commit Bank Fraud, 18 U.S.C. § 1349
Aggravated Identity Theft 18 U.S.C. §§ 1028A(a)(1), 2

Original Sentence: Prison - 24 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Patrick J. Cashman Date Supervision Commenced: June 7, 2021

Defense Attorney: John H. Loeffler Date Supervision Expires: June 6, 2026

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 10/18/2022.

On June 8, 2021, Mr. Kristopher Paul Wise signed his conditions relative to case number 2:18CR00115-TOR-1, indicating he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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3	Mandatory Condition #3: You must refrain from any unlawful use of a controlled substance. You must submit to one drug test within 15 days of release from imprisonment and at least two periodic drug tests thereafter, as determined by the court.
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Supporting Evidence: Mr. Wise is alleged to have violated mandatory condition number 3 by ingesting fentanyl on or about October 19, 2022, based on urinalysis testing.

Specifically, and as the Court likely recalls, on October 13, 2022, Mr. Wise reported to Pioneer Human Services in Spokane, for the purpose of urinalysis testing. Mr. Wise subsequently submitted a urinalysis sample that reflected as presumptive positive for fentanyl. A drug use admission form was subsequently received by the U.S. Probation Office, in which Mr. Wise admitted ingesting the substance as indicated. This information was previously reported to the Court in the petition dated October 18, 2022. Mr. Wise would again test positive for fentanyl at Pioneer Human Services on October 14, 2022.

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On October 19, 2022, Mr. Wise again presented to Pioneer Human Services, and again provided a urinalysis sample that tested presumptive positive for fentanyl. This time, Mr. Wise denied use of the substance occurring since his previous admission, and the sample was packaged and forward to the lab. On October 19, 2022, during discussion with the undersigned officer, Mr. Wise adamantly denied using the substance after October 13, 2022, as previously stated. Mr. Wise further elaborated that verification of the levels in his system would substantiate his statement, indicating that any presence of the substance in his system would be residual.

On October 25, 2022, a request for interpretation was submitted to Alere Toxicology requesting a professional opinion as to whether the client had reused fentanyl after testing on October 14, 2022. On November 10, 2022, a completed interpretation report was received by the U.S. Probation Office in Spokane, and the report concluded based on the insufficient decrease in the normalized concentration of fentanyl in the specimen collected on October 19, 2022, and a normal elimination pattern, it was the opinion of the author that the client reused fentanyl after October 14, 2022, and before testing on October 19, 2022, contrary to the client's statements of maintained sobriety. The letter was drafted by Alere Toxicology Laboratory Director Cheska Burleson.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: November 10, 2022

s/ Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Thomas O. Rice
United States District Judge

November 14, 2022

Date